

**BOARD OF COUNTY COMMISSIONERS  
KITITAS COUNTY  
STATE OF WASHINGTON**

**ORDINANCE NO. 2016-005**

**ORDINANCE TO AMEND TITLE 9 OF THE KITITAS COUNTY CODE TO ADD SECTION  
9.09.035 FIRE MARSHAL'S AUTHORITY TO PROHIBIT DISCHARGE, AND TO ADOPT POLICY  
FM 01-10 IMPLEMENTING A FIREWORKS BAN**

**WHEREAS:** Revised Code of Washington (RCW) 70.77.250 allows counties and cities to adopt code more restrictive than state law with an effective date one year after adoption; and

**WHEREAS:** RCW 70.77 also provides that local fireworks ordinances are not in effect until a year after their adoption; and

**WHEREAS:** In times of high fire danger a temporary ban on fireworks, as determined by the Fire Marshal may be necessary; and

**WHEREAS:** The Board finds that in order to protect the health, safety and welfare of the public, it is necessary to adopt certain fire safety requirements;

**WHEREAS:** The Fire Marshal has determined that a temporary ban on fireworks mitigates damage and risk to life and property and reduces the risk of fires due to fireworks; and

**WHEREAS:** Amendment to Title 9 to add language granting the Fire Marshal the authority to implement a ban when critical fire weather and data indicates a ban is necessary; and

**WHEREAS:** The Board received recommendations from the Fire Marshal to adopt the new code; and

**WHEREAS:** The Board held a public hearing regarding amending Title 9 and adopting policy FM 01-10;

**NOW, THEREFORE, BE IT ORDAINED** That the Board of County Commissioners after due deliberation and in the best interest of the public, does hereby amend Kittitas County Code Title 9 to add a new section as follows:

**KCC 9.30.035 Fire Marshal's Authority To Prohibit Discharge**

The Kittitas County Fire Marshal is authorized to prohibit the ignition or discharge of fireworks within the unincorporated areas of Kittitas County whenever the fire danger components and indices have reached or exceeded those described in Standard Operating Procedure F01-10 as now existing or as hereafter amended.

**BE IT FURTHER ORDAINED** That such amendment shall be effective one year after execution of this document by the Board of County Commissioners.

**BE IT FURTHER ORDAINED** The Kittitas County Information Technology Department is to add the above new section to the county code on the Kittitas County website.


**BE IT FURTHER ORDAINED** The Prosecuting Attorney's Office is charged with correcting any scrivener's errors it notices and determines arose out of the amendment and enactment process. No further authorization will be required from the Board of County Commissioners for the Prosecuting Attorney's Office to effect correction of scrivener's errors relating to this Ordinance and the Prosecutor's Office shall direct Information Technology to make such needed corrections.

**ADOPTED** this 15<sup>th</sup> day of March 2016.

**BOARD OF COUNTY COMMISSIONERS  
KITITITAS COUNTY, WASHINGTON**

  
\_\_\_\_\_  
Commissioner Obie O'Brien, Chairman

  
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Commissioner Paul Jewell, Vice-Chairman

  
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Commissioner Gary Berndt



**ATTEST:**

  
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Julie A. Kjorsvik,  
Clerk of the Board

**APPROVED AS TO FORM:**

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Gregory L. Zempel  
Prosecuting Attorney  
WSBA #19125